

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Priority Claim

This application claims priority under 35 U.S.C. §119 from Japanese Patent Application 2002-199516, filed July 9, 2002. A verified translation of the priority document is attached. Accordingly, Applicant respectfully requests that the Examiner acknowledge Applicant's perfected claim for priority.

Disposition of Claims

Claims 1-3 are now pending in this application. Claims 1-3 are independent.

Claim Amendments

Claims 1 and 2 have been amended by this reply to clarify the claimed invention. No new matter has been added by these amendments, as support may be found in the original claims and the specification as filed. Furthermore, claim 3 has been added by this reply. No new matter has been added in new claim 3, as support may be found, for example, in the original claims and paragraphs [0024]-[0025] of the published specification.

Drawings

Applicant respectfully requests the Examiner accept the formal drawings submitted July 8, 2003.

Rejection(s) under 35 U.S.C. § 102

Claims 1 and 2 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0219234 (hereinafter "Burda"). Applicant respectfully submits that Burda is not proper prior art under 35 U.S.C. §102(e), and, thus, the rejection is improper.

As noted above, Applicant has submitted a verified translation of the priority document of the present application to perfect priority. Accordingly, Applicant respectfully submits that the present application has a perfected claim to the foreign priority date of July 9, 2002.

Under §102(e), a reference must have a filing date earlier in time than the effective filing date of the application to constitute prior art. However, an application's claim for priority under §119(a)-(e) may be used to antedate the reference's filing date. Burda is not prior art under §102(e) because its filing date, March 5, 2003, is after the present application's foreign priority date, July 9, 2002. Accordingly, Burda has been antedated. Thus, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04536/015001).

Dated: June 26, 2007

Respectfully submitted,

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Attachment